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\*Practice Limited to  
Federal Agencies

August 28, 2006

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Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**Art Unit 1614**

**Attn: Mail Stop Amendment**

Re: U.S. Utility Patent Application  
Application No. 10/826,909; Filed: April 19, 2004  
For: **Methods of Treating Diseases Responsive to Induction of Apoptosis  
and Screening Assays**  
Inventors: Kasibhatla *et al.*  
Our Ref: 1735.0840002/RWE/DJN

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Second Supplemental Information Disclosure Statement Under 37 C.F.R. § 1.97(b);
2. A cited document on Form PTO/SB/08A (1 sheet);
3. A listing of the cited documents on Form PTO/SB/08B (1 sheet);
4. A copy of the cited documents NPL17, NPL18, NPL19 and NPL20; and
5. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents  
August 28, 2006  
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

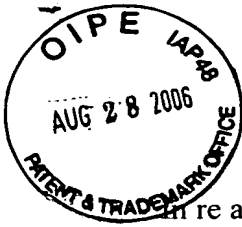
Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

*for* *John M. Conert*  
Robert W. Esmond *Reg No. 38,759*  
Attorney for Applicants  
Registration No. 32,893

RWE/DJN/jk  
Enclosures

576289



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Kasibhatla *et al.*

Appl. No.: 10/826,909

Filed: April 19, 2004

For: **Methods of Treating Diseases  
Responsive to Induction of  
Apoptosis and Screening Assays**

Confirmation No.: 1721

Art Unit: 1614

Examiner: *To be assigned*

Atty. Docket: 1735.0840002/RWE/DJN

**Second Supplemental Information Disclosure Statement  
Under 37 C.F.R. § 1.97(b)**

***Mail Stop Amendment***

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Forms are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Second Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' First Supplemental Information Disclosure Statement filed on July 21, 2005 in connection with the above-captioned application.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may

not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

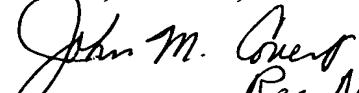
This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action. No statement or fee is required. Copies of documents NPL17-NPL20 are submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), no copies of the U.S. patent cited on the attached IDS Form is submitted.

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

*for*   
Robert W. Esmond *Reg. No. 38,759*  
Attorney for Applicants  
Registration No. 32,893

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Supplement to Form 1449/PTO

## SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

Sheet	1	of	1
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**Complete if Known**

Application Number	10/826,909
Filing Date	April 19, 2004
First Named Inventor	Kasibhatla, S.
Art Unit	1614
Examiner Name	<i>To be assigned</i>
Attorney Docket Number	1735.0840002/RWE/DJN

## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

[illegible]

Examiner Signature		Date Considered	
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Submit this form 1449/PTO  <b>SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Use as many sheets as necessary)				<b>Complete if Known</b>	
Application Number				10/826,909	
Filing Date				April 19, 2004	
First Named Inventor				Kasibhatla, S.	
Art Unit				1614	
Examiner Name				To be assigned	
Attorney Docket Number				1735.0840002/RWE/DJN	
Sheet	1	of	1		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published	T <sup>2</sup>
	NPL17	ZHANG <i>et al.</i> , "Discovery, characterization and SAR of gambogic acid as a potent apoptosis inducer by a HTS assay," <i>Bioorganic &amp; Medicinal Chemistry</i> , 12:309-317, Elsevier Science, The Netherlands (January, 2004)	
	NPL18	KASIBHATLA <i>et al.</i> , "A role for transferrin receptor in triggering apoptosis when targeted with gambogic acid," <i>Proc Natl Acad Sci U S A</i> , 102:12095-12100, The National Academy of Sciences, Washington D.C. (August, 2005)	
	NPL19	JESSEN <i>et al.</i> , "The discovery and mechanism of action of novel tumor-selective and apoptosis-inducing 3,5-diaryl-1,2,4-oxadiazole series using a chemical genetics approach," <i>Molecular Cancer Therapeutics</i> , 4:761-771, American Association for Cancer Research, Inc., Philadelphia, PA (May, 2005)	
	NPL20	International Search Report and Written Opinion, International Application No. PCT/US04/11915, mailed June 27, 2006	
	NPL21		
	NPL22		
	NPL23		
	NPL24		
	NPL25		
	NPL26		

Examiner Signature	Date Considered
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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.